

AMENDED IN SENATE JUNE 24, 2014

AMENDED IN SENATE JUNE 9, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1621

Introduced by Assembly Members Lowenthal and Rodriguez

February 6, 2014

An act to add Section 1797.119 to the Health and Safety Code, relating to emergency medical services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1621, as amended, Lowenthal. Emergency medical services: data and information system.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, governs local emergency medical services systems. The act establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Existing law also creates the Commission on Emergency Medical Services, and requires the commission to perform various duties regarding the authority and emergency medical services.

Existing law requires the authority to develop planning and implementation guidelines for emergency medical services systems that address data collection and evaluation, among other things. Existing law requires the commission to review and approve regulations, standards, and guidelines developed by the authority.

This bill would require the authority to utilize its California Emergency Medical Services Information System (CEMSIS) and adopt a single statewide standard for the collection of information regarding prehospital care to determine and monitor the quality and effectiveness of the statewide emergency medical services system, compliant with the most current National Emergency Medical Services Information System (NEMSIS) standards, and to avoid unnecessary duplication of data collection at the local level. The bill would require the authority to develop regulations and standards for electronic patient care record systems used by local EMS agencies and local prehospital EMS providers to ensure compatibility with CEMSIS. The bill would require the authority to comply with its provisions on or before July 1, 2016. ~~The bill would require the authority to post proposed rules and to notify the public with regard to commenting on the proposed rules, as specified.~~

The bill would also require local EMS agencies to submit specified information to the authority. By imposing new duties on local officials, the bill would impose a state-mandated local program.

The bill would provide that all of the above provisions and any ~~rules~~ ~~or~~ regulations *and standards* adopted pursuant to those provisions would only be implemented to the extent that funds are made available through an appropriation in the annual budget act.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1797.119 is added to the Health and
- 2 Safety Code, to read:
- 3 1797.119. (a) (1) In order to fulfill the authority's
- 4 responsibility to assess emergency medical services and their
- 5 effectiveness as required by Section 1797.102, the authority shall
- 6 utilize its California Emergency Medical Services Information
- 7 System (CEMSIS) and adopt a single statewide standard for the

1 collection of information regarding prehospital care to determine
2 and monitor the quality and effectiveness of the statewide
3 emergency medical services system, compliant with the most
4 current National Emergency Medical Services Information System
5 (NEMSIS) standards, and to avoid unnecessary duplication of data
6 collection at the local level.

7 (2) The authority shall comply with this section on or before
8 July 1, 2016.

9 (b) (1) The authority shall develop regulations and standards
10 for electronic patient care record systems used by local EMS
11 agencies and local prehospital EMS providers to ensure
12 compatibility with CEMSIS, including, but not limited to, a
13 common data dictionary, integration of first responder data,
14 transport provider data, and patient outcome data, and compliant
15 with current NEMSIS standards and privacy requirements in state
16 and federal law. Privacy requirements shall ensure that all patient
17 data obtained from EMS providers for the purpose of this section
18 is subject to legal privacy and security standards consistent with
19 privacy and security protections for personal health data in the
20 possession of EMS providers under state and federal law.

21 (2) The regulations and standards developed by the authority
22 shall describe standards for the purpose of standardizing data
23 collection. The regulations and standards shall allow the use of
24 any prehospital electronic patient record system, provided that the
25 system is compatible with CEMSIS, compliant with NEMSIS, and
26 meets the standards set by the authority.

27 (3) The authority shall consult with stakeholders in the
28 development of standards and compatibility with CEMSIS,
29 including air ambulance providers and other entities not included
30 in the California Commission on Emergency Medical Services
31 membership.

32 (4) Local EMS agencies and local prehospital EMS providers
33 that upgrade or purchase an electronic patient care record system
34 on or after the date the authority issues final guidance pursuant to
35 paragraph (1) shall ensure that the system complies with standards
36 contained in that guidance.

37 (c) Local EMS agencies shall submit patient information
38 consistent with the requirements of paragraph (1) of subdivision
39 (a) to the authority in a timely manner, using ~~NEMSIS standards~~
40 and electronic transfer when available.

1 ~~(d) The authority, in order to exercise the powers and perform~~
2 ~~the duties conferred upon it by this chapter, and in accordance with~~
3 ~~Chapter 3.5 (commencing with Section 11340) of Part 1 of Division~~
4 ~~3 of the Government Code, shall adopt, amend, or repeal any rules,~~
5 ~~regulations, or standards as may be necessary.~~

6 ~~(e) The authority shall post any proposed rules promulgated~~
7 ~~under this section on its public Internet Web site no later than 90~~
8 ~~calendar days prior to the effective date of the proposed rule, which~~
9 ~~shall also include notification to the public regarding how members~~
10 ~~of the public may comment, including the date by which those~~
11 ~~comments must be received in order to be considered by the~~
12 ~~authority.~~

13 ~~(f)~~
14 ~~(d) This section and any rules and regulations and standards~~
15 ~~promulgated pursuant to this section shall be implemented only~~
16 ~~to the extent that funds are made available through an appropriation~~
17 ~~in the annual Budget Act.~~

18 SEC. 2. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.